



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Peggy E. HELLBERG

Serial No: 10/694,309 (Conf. #3568)

Filed: 27 October 2003

Examiner:

Group Art Unit: 1614

FOR: HISTONE DEACETYLASE INHIBITORS FOR TREATING DEGENERATIVE
DISEASES OF THE EYE**INFORMATION DISCLOSURE STATEMENT PURSUANT
TO 37 C.F.R. 1.56, 1.97, AND 1.98**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. 1.56, 1.97, and 1.98, Applicants submit the patents, articles, and other information referenced in the specification as filed. The references are listed on the attached PTO Form 1449. Applicants are submitting copies of the foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2), copies of the U.S. patents are not enclosed.

Applicants request that the listed patents, articles, and other information be considered during prosecution of this application and that they appear among the "References Cited" on any patent issuing herefrom.

Respectfully submitted,

25 March 2004

Date

By:

Teresa J. Schultz

Registration No. 40,256
(817) 551-4231Address for Correspondence:
Alcon Research, Ltd.
Attn: Teresa J. Schultz
6201 S. Freeway, Mail Code Q-148
Fort Worth, TX 76134-2099

Attorney Docket No.: 2395 US



PTO/SB/08A (04-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/694,309 (Conf #3568)
Filing Date	27 October 2003
First Named Inventor	Peggy E. HELLBERG
Art Unit	1614
Examiner Name	
Attorney Docket Number	2395 US

Sheet 1 of 5

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A1	US- 4,690,931	09/01/1987	Wick et al.	
	A2	US- 5,151,444	09/29/1992	Ueno et al.	
	A3	US- B1 5,151,444	09/29/1992	Ueno et al.	
	A4	US- 5,296,504	03/22/1994	Stjerschantz et al.	
	A5	US- 5,352,708	10/04/1994	Woodward et al.	
	A6	US- 5,422,368	06/06/1995	Stjerschantz et al.	
	A7	US- 5,688,819	11/18/1997	Woodward et al.	
	A8	US- 5,889,052	03/30/1999	Klimko et al.	
	A9	US-			
	A10	US-			
	A11	US-			
	A12	US-			
	A13	US-			
	A14	US-			
	A15	US-			
	A16	US-			
	A17	US-			
	A18	US-			
	A19	US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	A20	WO 94/13275 A1	06/23/1994	Massachusetts Eye & Ear		
	A21					
	A22					
	A23					
	A24					
	A25					

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/694,309 (Conf #3568)
				Filing Date	27 October 2003
				First Named Inventor	Peggy E. HELLBERG
				Art Unit	1614
				Examiner Name	
Sheet	2	of	5	Attorney Docket Number	2395 US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	B1	Abler et al., "Photic injury triggers apoptosis of photoreceptor cells," IOVS 35(4):1517, 1996	
	B2	Abler et al., "Photic injury triggers apoptosis of photoreceptor cells," Res Commun Mol Pathol Pharmacol, Vol. 92(2):177-189, 1996	
	B3	Berson, "Retinitis Pigmentosa," Invest Ophthalmol Vis Sci, Vol. 34:1659-1676, 1993	
	B4	Bressler et al., "Clinicopathologic correlation of drusen and retinal pigment epithelial abnormalities in age-related macular degeneration," Retina, Vol. 14:130-142, 1994	
	B5	Bressler et al., "Age-related macular degeneration," Survey of Ophthalmology, Vol. 32(6):375-413, 1988	
	B6	Collier et al., "Inhibition of photo-oxidative induced retinal damage by diphenylalkylamines," Invest Ophthal Vis Sci, Vol. 36:S516, 1995	
	B7	Collier et al., "Prevention of photic induced retinal injury by eliprodil," Invest Ophthal Vis Sci, Vol. 40:S159, 1999	
	B8	Cruickshank, et al., "Sunlight and Age-Related Macular Degeneration," Arch Ophthal, Vol. 111:514-518, 1993	
	B9	Curcio et al., "Photoreceptor Loss in Age-Related Macular Degeneration," Invest Ophthal Vis Sci, Vol. 37(7):1236-1249, 1996	
	B10	Edward et al., "Amelioration of Light-Induced Retinal Degeneration by a Calcium Overload Blocker," Arch Ophthal, Vol. 109:554-562, 1991	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/694,309 (Conf #3568)
				Filing Date	27 October 2003
				First Named Inventor	Peggy E. HELLBERG
				Art Unit	1614
				Examiner Name	
Sheet	3	of	5	Attorney Docket Number	2395 US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C1	Fakforovich et al., "Photoreceptor degeneration in inherited retinal dystrophy delayed by basic fibroblast growth factor," Nature, Vol. 347:83-86, 1990	
	C2	Frasson et al., "Retinitis pigmentosa: rod photoreceptor rescue by a calcium-channel blocker in the rd mouse," Nat. Med. Vol. 5:1183-1187, 1990	
	C3	Fu et al., "Dexamethasone ameliorates retinal photic injury in albino rats," Exp Eye Res, Vol. 54:583-594, 1992	
	C4	Ge-Zhi et al., "Apoptosis In Human Retinal Degenerations," Trans AM Ophthal Soc, Vol. 4:411-430, 1996	
	C5	Green et al., "Pathologic features of senile macular degeneration," Ophthalmol, Vol. 92:615-627, 1985	
	C6	Green and Key, "Senile macular degeneration: a histopathologic study," Trans Am Ophthalmol Soc., Vol. 75:180-254, 1977	
	C7	Green and Enger, "Age-related macular degeneration histopathologic studies," Ophthalmol, Vol. 100:1519-1535, 1993	
	C8	Green and Kuchle, "Histopathologic studies of choroidal neovascularization," Indocyanine Green Angiography, Yannuzzi, L.A., Flower, R.W., Slakter, J.S. (Eds.), St. Louis: Mosby, Chapter 11:151-156, 1997	
	C9	Heckenlively, "RP Cone-rod degeneration," Trans Am Ophthalmol Soc., Vol. 85:438-470, 1987	
	C10	Johnstone, Nature Reviews, Drug Discovery, Vol. 1, Apr 2002	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/694,309 (Conf #3568)
Filing Date	27 October 2003
First Named Inventor	Peggy E. HELLBERG
Art Unit	1614
Examiner Name	
Attorney Docket Number	2395 US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	D1	Kozaki et al., "Light-induced retinal damage in pigmented rabbi--2. Effect of alpha-tocopherol," Nippon Ganka Gakkai Zasshi, Vol. 98(10):948-954, 1994	
	D2	Lam et al., "Amelioration of Retinal Photic Injury in Albino Rats by Dimethylthiourea," Arch Ophthal, Vol. 108:1751-1757, 1990	
	D3	Lam et al., "Methylprednisolone therapy in laser injury of the retina," Graefes Arch Clin Exp Ophthal, Vol. 231:729-736, 1993	
	D4	LaVail et al., Multiple growth factors, cytokines, and neurotrophins rescue photoreceptors from the damaging effects of constant light," Proc Nat Acad Sci, Vol. 89:11249-11253, 1992	
	D5	Li et al., "Desferrioxamine ameliorates retinal photic injury in albino rats," Eye Res, Vol. 10(2):133-144, 1991	
	D6	Li et al., "Amelioration of retinal photic injury by a combination of flunarizine and dimethylthiourea," Exp Eye Res, Vol. 56:71-78, 1993	
	D7	Naash et al., "Induced Acceleration of Photoreceptor Degeneration Transgenic Mice Expressing Mutant Rhodopsin," Invest Ophthal Vis Sci, Vol. 37(5):775-782, 1996	
	D8	Nickells and Zack, "Apoptosis in ocular disease: a molecular overview," Ophthalmic Genet, Vol. 17:145-165, 1996	
	D9	Noell et al., "Retinal damage by light in rats," Invest Ophthal Vis Sci, Vol. 5(5):450-472, 1966	
	D10	Organisciak et al., "Amelioration of photic injury in rat retina by ascorbic acid: a histopathologic study," Invest Ophthal Vis Sci, Vol. 26:1589-1598, 1985	

Examiner Signature		Date Considered	
---------------------------	--	------------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/694,309 (Conf #3568)
Filing Date	27 October 2003
First Named Inventor	Peggy E. HELLBERG
Art Unit	1614
Examiner Name	
Attorney Docket Number	2395 US

Sheet

5

of

5

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	E1	Organisciak et al., "Protection by Dimethylthiourea Against Retinal Light Damage in Rats," Invest Ophthal Vis Sci, Vol. 33(5):1599-1609, 1992	
	E2	Pagon, "Retinitis Pigmentosa," Survey Ophthalmol, Vol. 33:137-177, 1988	
	E3	Pruett, "Retinitis pigmentosa: clinical observations and correlations," Trans Am Ophthalmol Soc., Vol. 81:693-735, 1983	
	E4	Rapp et al., "Evaluation of retinal susceptibility to light damage in pigmented rats supplemented with beta-carotene," Cur Eye Res, Vol. 15:219-223, 1995	
	E5	Schneider et al., "Photocoagulation of well-defined choroidal neovascularization in age-related macular degeneration," Retina, Vol. 18:242-250, 1998	
	E6	Taylor et al., "Long-term Effects of Visible Light on the Eye," Arch Ophthalmol, Vol. 110:99-104, 1992	
	E7	Young, "Solar radiation and age-related macular degeneration," Survey Ophthal, Vol. 32:252-269, 1988	
	E8		
	E9		
	E10		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.